

ORIGINAL

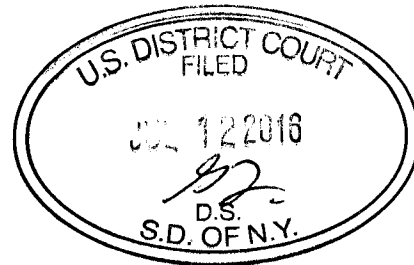
16 MAG 4450

Approved: Stephanie Lake

STEPHANIE LAKE

Assistant United States Attorney

Before: THE HONORABLE FRANK MAAS  
United States Magistrate Judge  
Southern District of New York



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:  
UNITED STATES OF AMERICA :  
:  
- v. - :  
:  
JUNIOR ORTIZ and :  
CESAR ADONIS SANTANA DONE, :  
a/k/a "Cesar Santana," :  
:  
Defendants. :  
:  
- - - - - X

Violations of  
18 U.S.C. §§ 1708  
and 2

COUNTY OF OFFENSE:  
BRONX

SOUTHERN DISTRICT OF NEW YORK, ss.:

EDWARD F. GANNON, being duly sworn, deposes and says  
that he is a Postal Inspector with the United States Postal  
Inspection Service ("USPIS"), and charges as follows:

COUNT ONE

(Theft and Receipt of Stolen Mail Matter)

1. On or about July 12, 2016, in the Southern District of New York, JUNIOR ORTIZ and CESAR ADONIS SANTANA DONE, a/k/a "Cesar Santana," the defendants, knowingly did steal, take, and abstract, and by fraud and deception did obtain, and attempt so to obtain, from and out of mail, post offices, and stations thereof, letter boxes, mail receptacles, and mail routes and other authorized depositories for mail matter, and from letters and mail carriers, letters, postal cards, packages, bags, and mail, and did abstract and remove from such letters, packages, bags, and mail, articles and things contained therein, and did secrete, embezzle, and destroy such letters, postal cards, packages, bags, and mail, and articles and things contained therein, and did steal, take, and abstract, and by fraud and deception did obtain, letters, postal cards, packages, bags, and mail, and articles and things contained therein which had been left for collection upon and adjacent to collection boxes and

other authorized depositories of mail matter, and did buy, receive, and conceal, and unlawfully did have in their possession, letters, postal cards, packages, bags, and mail, and articles and things contained therein, which had been so stolen, taken, embezzled, and abstracted, knowing the same to have been stolen, taken, embezzled, and abstracted, to wit, ORTIZ and DONE stole and received, and aided and abetted the theft of, checks and money orders out of parcels and packages of mail that were taken out of United States mail boxes and receptacles.

(Title 18, United States Code, Sections 1708 and 2.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

2. I am a United States Postal Inspector. I have been personally involved in the investigation of this matter, and I base this affidavit on that experience, on my conversations with other law enforcement officials, and on my examination of various reports and records. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. Based on my training and experience, I know that individuals will sometimes use string or other materials with adhesive affixed to the end to remove mail matter from United States Post Office mailboxes. This practice is called "fishing." Individuals typically "fish" with the hope of removing mail containing checks, money orders, or cash, which those individuals may sell to others or keep for their own use.

4. Based on my conversations with New York City Police Department ("NYPD") officers and my review of NYPD reports, I have learned, in substance and in part, the following:

a. On or about July 12, 2016, at approximately 5:32 a.m. two NYPD officers (the "Officers") were dispatched to the vicinity of Grand Concourse and East 187th Street in the Bronx, New York, in response to a 911 call stating that there were individuals in the area who appeared to be removing mail from United States Post Office mailboxes.

b. When the Officers reached the vicinity of Grand Concourse and East 187th Street, they observed two individuals wearing white t-shirts and white baseball hats sitting at a bus stop, holding what appeared to be pieces of mail. Those two individuals later were identified as JUNIOR ORTIZ and CESAR ADONIS SANTANA DONE, a/k/a "Cesar Santana," the defendants.

c. A third individual approached the Officers and stated that he did not have any mail. ORTIZ and DONE fled from the bus stop. The Officers pursued and apprehended ORTIZ and DONE.

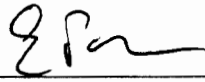
d. After apprehending ORITZ and DONE, the Officers recovered multiple checks and money orders from DONE's person. The checks and money orders were neither from nor made out to ORTIZ or DONE. The total value of the checks and money orders was approximately \$25,000.

e. The Officers returned to the bus stop, where they recovered envelopes and other pieces of mail. They also inspected the mailbox in which they suspected that ORTIZ and DONE had been "fishing," and located string and an adhesive substance inside. Based on my training and experience, I know that these materials are often used as tools to assist with "fishing." See *supra* ¶ 3.

f. The Officers placed ORTIZ and DONE under arrest.

5. Based on my review of a surveillance video recovered from the vicinity of Grand Concourse and East 187th Street in the Bronx, New York, I have learned, in substance and in part that on or about July 12, 2016, at approximately 5:24 a.m., two individuals wearing white t-shirts and white baseball hats - that is, the same outfits that the Officers observed JUNIOR ORTIZ and CAESAR ADONIS SANTANA DONE, a/k/a "Cesar Santana," the defendants, wearing, see *supra* ¶ 4(b) - appeared to be "fishing" mail out of the United States Postal Service mailbox from which the Officers recovered string and adhesive, see *supra* ¶ 4(e).

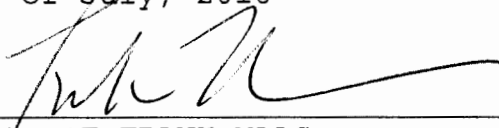
WHEREFORE, deponent respectfully requests that JUNIOR ORTIZ and CESAR ADONIS SANTANA DONE, a/k/a "Cesar Santana," the defendants, be imprisoned or bailed, as the case may be.



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Edward F. Gannon  
Postal Inspector  
United States Postal Inspection  
Service

Sworn to before me this  
12th day of July, 2016



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THE HONORABLE FRANK MAAS  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK